

PTO/SB/17 (11-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 10/01/2004. Patent fees are subject to annual revision.

FEE TRANSMITTAL For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)1,330

Complete if Known

Application Number	09/859,325
Filing Date	Feb 14 2002
First Named Inventor	ELLIOT, Robert
Examiner Name	LI, Q. Janice
Art Unit	1632
Attorney Docket No.	01115

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order☒ Deposit Account ☐ NoneDeposit
Account
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50-0545

FACTOR 8 LAKE

The Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☐ Credit any overpayments

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☐ Other (please identify):

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FEE CALCULATION

1. BASIC FILING FEE

Fee Description	Fee (\$)	Small Entity Fee (\$)	Fee Paid(\$)
Utility Filing Fee	790	395	
Design Filing Fee	350	175	
Plant Filing Fee	550	275	
Reissue Filing Fee	790	395	
Provisional Filing Fee	160	80	
Subtotal (1) \$			0

FEE CALCULATION (continued)

2. EXTRA CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20	18	9
Each independent claim over 3	88	44
Multiple dependent claims	300	150
For Reissues, each claim over 20 and more than in the original patent	18	9
For Reissues, each independent claim more than in the original patent	88	44

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
32	- 20 or HP = 25	x 9	= 225

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
10	- 3 or HP = 5	x 44	= 220

HP = highest number of independent claims paid for, if greater than 3

Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)

Subtotal (2) \$ 445

3. OTHER FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)	Fee Paid(\$)
1-month extension of time	110	55	
2-month extension of time	430	215	
3-month extension of time	980	490	490
4-month extension of time	1,530	765	
5-month extension of time	2,080	1,040	
Information disclosure stmt. fee	180	180	
37 CFR 1.17(q) processing fee	50	50	
Non-English specification	130	130	
Notice of Appeal	340	170	
Filing a brief in support of appeal	340	170	
Request for oral hearing	300	150	
Other: RCE			395

Subtotal (3) \$ 885

SUBMITTED BY

Signature

Registration No.
(Attorney/Agent)

44,817

Telephone 56-537-2040

Name (Print/Type)

MATTHEW KASER

Date 20 Nov 2004

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE
UNITED STATES
PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Elliott et al

CASE: DIA-011115

SERIAL NO.: 09/857,325

FILED ON: February 14, 2002

FOR: PREPARATION AND
XENOTRANSPLANTATION
OF PORCINE ISLETS

APPOINTMENT OF
ASSOCIATE ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTENTION:
Art Unit 1632
EXAMINER:
LI, QUAN

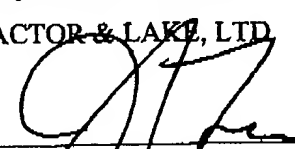
Dear Sir:

If any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 50-0545.

The undersigned, as attorney of record, hereby appoints Adam Bell (Reg No, 43,490) and Matthew Kaser (Reg. No. 44,817) as associate attorneys on the above-mentioned application, pursuant to 37 CFR 1.34. All correspondence, however, should be maintained with the Principal attorney, pursuant to MPEP 406.

Respectfully submitted,

FACTOR & LAKE, LTD


Jody L. Factor
One of Attorneys for Applicant

Dated: November 18, 2004

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Jacob D. Koerling	51890
Nick Lee	54260



11 - 23 - 04

RCE IFW

IN THE
UNITED STATES
PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Elliott et al.
CASE: 011115
SERIAL NO.: 09/857,325
FILED ON: 02/14/2002
FOR: Preparation and Xenotransplantation of Porcine Islets

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


EXAMINER: LI, Q. JANICE
ART UNIT: 1632

Dear Sir:

The documents filed herewith are a **duplicate paper copy** of Applicants' Request for Continued Examination (RCE) filed at the USPTO by facsimile on 20th November, 2004. The RCE was in response to the Office Action mailed on 20th May 2004.

If the Commissioner finds any additional charges or fees must be paid in connection with the following communication, they may be paid out of Factor & Lake Deposit Account No. 50-0545.

Respectfully submitted,
FACTOR & LAKE
1327 W. Washington Blvd., Suite 5G/H
Chicago, IL 60607


Dated: November 22nd 2004
Matthew R. Kaser
(Reg. No. 44,817)
One of Attorneys for Applicant

Certificate of Mailing

I hereby certify under 37 CFR 1.8 that this correspondence is being deposited with the USPS with sufficient postage as "First Class Mail" Express Mail Service No. ED 046467960 US in an envelope addressed to Mail Stop RCE, Commissioner for Patents, PO BOX 1450, Alexandria, VA 22313-1450

On: 22nd November, 2004

By: 

Printed: Matthew Kaser



Tel: (510) 537-2040
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FACSIMILE TRANSMITTAL SHEET

TO:	Q. Janice Li, Examiner	FROM:	Matthew Kaser D.Phil.
COMPANY:	USPTO	DATE:	11/20/04
FAX NUMBER:	(703) 872-9306	TOTAL NO. OF PAGES INCLUDING COVER:	33
PHONE NUMBER:	(571) 272-0730	SENDER'S REFERENCE NUMBER:	DIA 011115
RE:	Office Action Mailed 5/20/2004	YOUR REFERENCE NUMBER:	USSN 09/857,325

★ URGENT ★ FOR REVIEW ★ PLEASE COMMENT ★ PLEASE REPLY ★ PLEASE RECYCLE

NOTES/COMMENTS:

USSN 09/857,325

Certificate of Faxing

I hereby certify under 37 CFR 1.8 that this correspondence
is being transmitted by facsimile to the USPTO at (703) 872-9306
in accordance with 37 CFR 1.6(d)

On: 20th November, 2004

By: 

Printed: Matthew Kaser

Please note that this communication may contain confidential and attorney-client privileged information.
If it has been received by someone other than the intended recipient, please destroy it and any
attachments and inform the sender. Thank you.



PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/857,325	
	Filing Date	February 14, 2002	
	First Named Inventor	Elliott, Robert Bartlet	
	Art Unit	1632	
	Examiner Name	LI, Q. Janice	
Total Number of Pages in This Submission	32	Attorney Docket Number	011115

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	RCE under 37 CFR 1.114
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Declaration under 37 CFR 1.132
	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	FACTOR & LAKE		
Signature			
Printed name	MATTHEW KASER		
Date	20TH NOVEMBER, 2004	Reg. No.	44,817

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Matthew Kaser	Date	20 November, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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